

IN RE: PETITION FOR RESIDENTIAL  
ZONING VARIANCE  
E/S Lindellen Avenue, 135 ft.  
N of Shirley Manor Road  
828 Lindellen Avenue  
4th Election District  
3rd Councilmanic District  
Robert Lesley Thrasher, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 91-97-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1802.3.A.1 Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 19.06 ft. in lieu of the required 25 ft. and to allow an existing shed setback of 1.15 ft. in lieu of the required 5 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for a Residential Variance, the subject property, known as 828 Lindellen Avenue, zoned D.R. 3.5, having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioners are requesting variance to allow a side yard setback of 19.06 ft. for an accessory structure (garage) and an existing shed setback of 1.15 ft.

The Petitioners have filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the subject variances would adversely affect the health, safety and/or general welfare of the public.

In the opinion of the Zoning Commissioner, it is established that the information and affidavits provide sufficient facts that comply with the

requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner. Based upon the information available, the relief should be granted.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of October 1990 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1802.3.A.1 Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 19.06 ft. in lieu of the required 25 ft. and to allow an existing shed setback of 1.15 ft. in lieu of the required 5 ft., in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection

of the subject property to insure compliance with this Order.

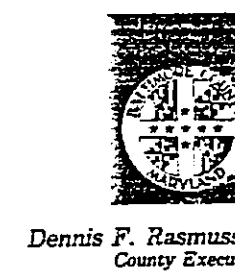
J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH/mm

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(301) 387-3553

J. Robert Haines  
Zoning Commissioner

October 16, 1990



Dennis F. Rasmussen  
County Executive

Mr. and Mrs. Robert Lesley Thrasher  
828 Lindellen Avenue  
Reisterstown, Maryland 21136

RE: Petition for Residential Zoning Variance  
Case No. 91-97-A

Dear Mr. and Mrs. Thrasher:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines  
Zoning Commissioner

JRH:mm  
encl.  
cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1802.3.A.1 (208.3 and 400.1 1955 Regs.) to allow a side yard setback a sum of 19.06' in lieu of the required 25' and to allow an existing shed a setback of 1.15' in lieu of the required 5'. RLT

The undersigned, legal owner(s) of the property situate in Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) The B.C.Z.R. is too strict in not being able to build a breezeway between the house & garage. The breezeway would be used as a walkway between the house & garage. Also to be used as a extra space for flowers. The breezeway would be a entrance to the house & garage. The shed is on the back side of the house is used for storage of the house is too small for storage. Property is to be advertised and/or posted as prescribed by Zoning Regulations. That we need

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone

ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of Sept. 1990, that the subject matter of this petition be posted on the property on or before the 26th day of Sept. 1990.

J. Robert Haines  
Zoning Commissioner of Baltimore County

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of Sept. 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 105, County Office Building in Towson, Baltimore County, on the 6th day of Sept. 1990, at 10:00 o'clock.

ORDER RECEIVED FOR FILING

Date

By

ZONING COMMISSIONER OF BALTIMORE COUNTY

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/so presently or upon settlement will reside at 828 Lindellen Ave Reisterstown MD 21136 (Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty) See Front

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Robert Thrasher  
AFFIRANT (Handwritten Signature)

Robert Thrasher  
AFFIRANT (Printed Name)

Shirley Imogene Thrasher  
AFFIRANT (Handwritten Signature)

SHERLEY IMOGENE THRASHER  
AFFIRANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6TH day of AUGUST, 1990, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared ROBERT L. THRASHER & SHIRLEY I. THRASHER

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in the form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8/6/90

DATE

G. S. ARZYSYLA  
NOTARY PUBLIC

My Commission Expires: JULY 1, 1994

ZONING DESCRIPTION

Beginning at a point on the east side of Lindellen Avenue which is 60 feet wide at a distance of 135 feet north of the centerline of the Shirley Manor Road which is 60 feet wide. Being Lot 4, Block F, Section 1 in the Subdivision of Academy Acres as recorded in Baltimore County Plat Book #23, Folio #95, containing 9214.22 square feet. Also known as 828 Lindellen Avenue and located in the 4th Election District, 3rd Councilmanic District.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 4th  
Postage for: Residential Variance  
Petitioner: Robert Lesley Thrasher, et ux  
Location of property: E/S Lindellen Avenue, 135' N Shirley Manor Road, 828 Lindellen Avenue  
Location of Sign: In front of 828 Lindellen Avenue

Remarks:  
Posted by: S. J. Arata  
Signature  
Date of return: September 28, 1990  
Number of Signs: 1

Baltimore County Zoning Commissioner County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204		receipt	
Account: R-001-6150		Number	
Date		Ne 3348	
9/06/90		H9100092	
PUBLIC HEARING FEES	QTY	PRICE	
010 -ZONING VARIANCE (IRL)	1 X	\$35.00	
080 -POSTING SIGNS / ADVERTISING	1 X	\$25.00	
TOTAL:		\$60.00	
LAST NAME OF OWNER: THRASHER			
04A04#0062N1CHRC BA C010C09AND9-06-90		\$60.00	
Casher Validation:		Please make checks payable to: Baltimore County	



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333

Mr. & Mrs. Robert Lesley Thrasher  
528 Lindellen Avenue  
Beltsville, Maryland 21136

Re: CASE NUMBER: 91-97-A  
ITEM NUMBER: 92  
LOCATION: 528 Lindellen Avenue, 135' W Shirley Manor Road  
828 Lindellen Avenue

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 26, 1990. The last date (hearing date) on which a neighbor may file a formal request for hearing is October 11, 1990. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

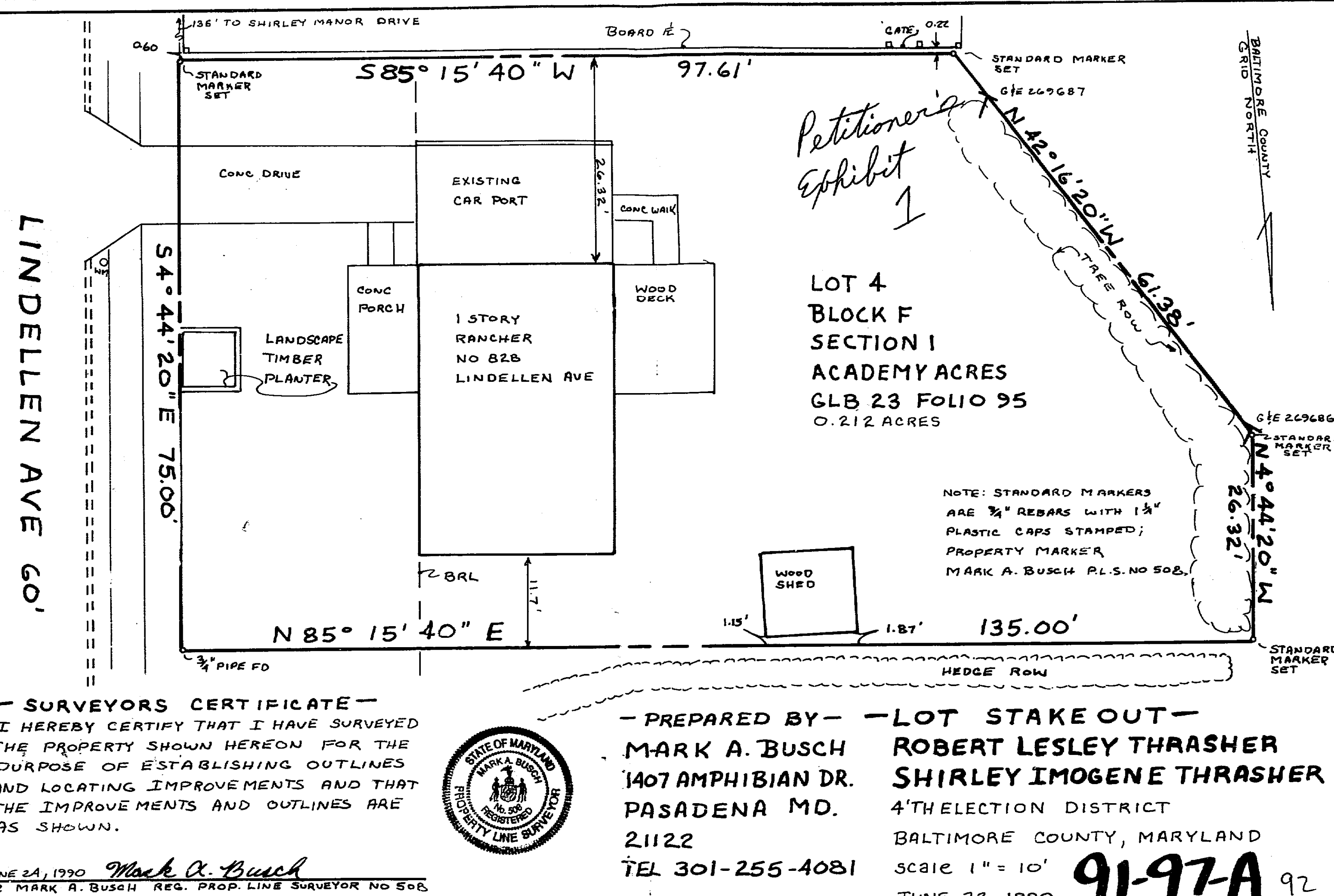
3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

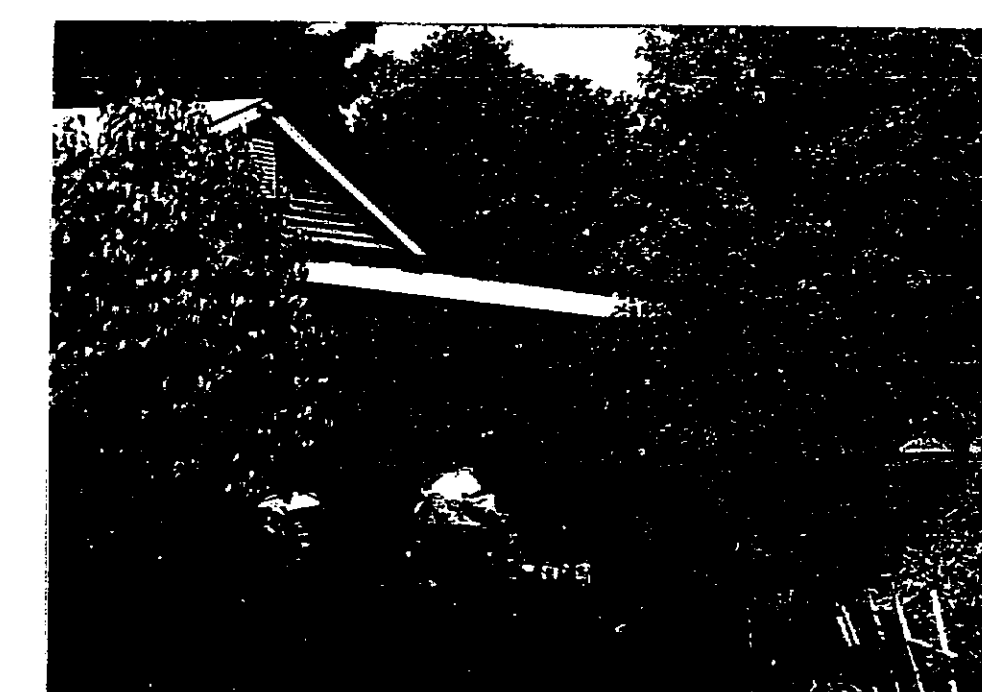
G. G. Stephens  
(301) 887-3391



Dennis F. Rasmussen  
County Executive



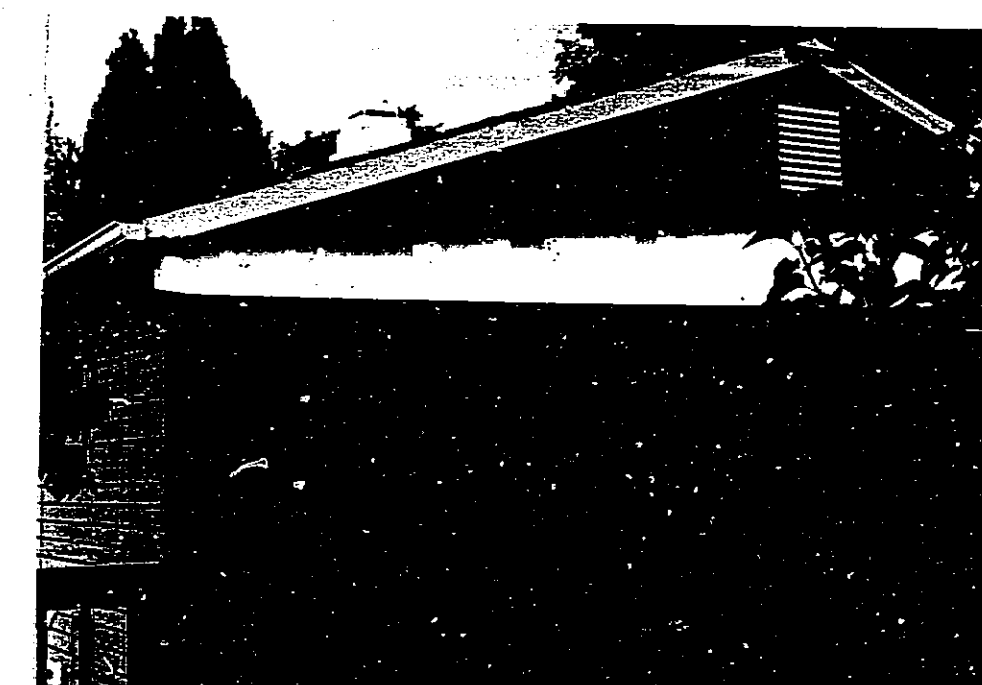
PETITIONER'S EXHIBIT # CASE NUMBER: 91-97-A



Looking from back of house



Looking from back



Back side

PETITIONER'S EXHIBIT # CASE NUMBER: 91-97-A



Side of car port



Back side



Side shot of car port

PETITIONER'S EXHIBIT # CASE NUMBER: 91-97-A



Looking from street

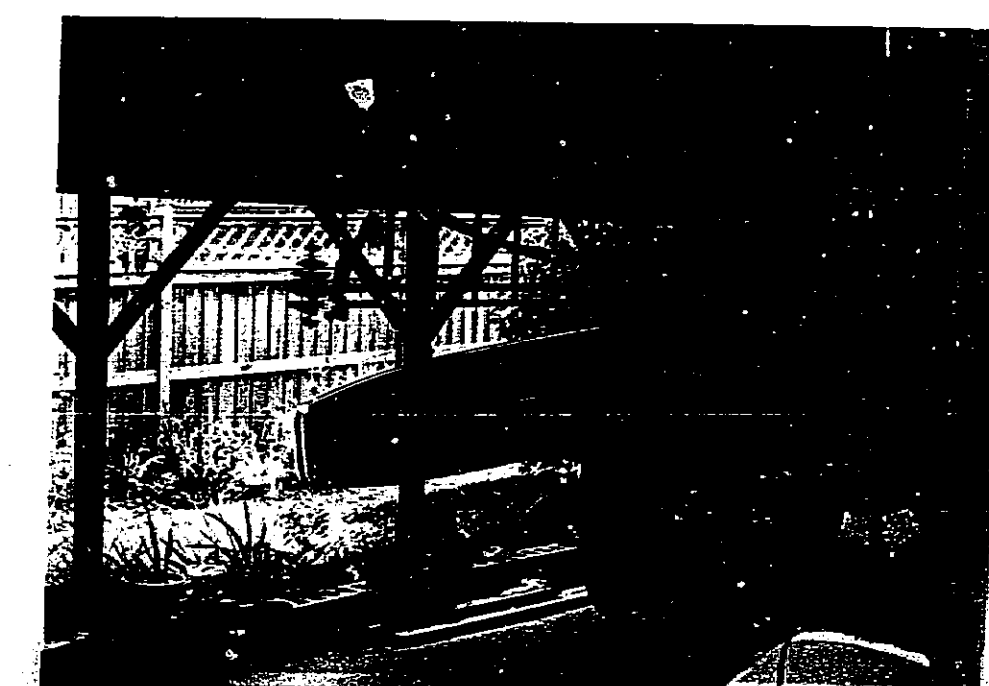


Looking off porch of next door

PETITIONER'S EXHIBIT # CASE NUMBER: 91-97-A



Looking from inside car port



Inside car port



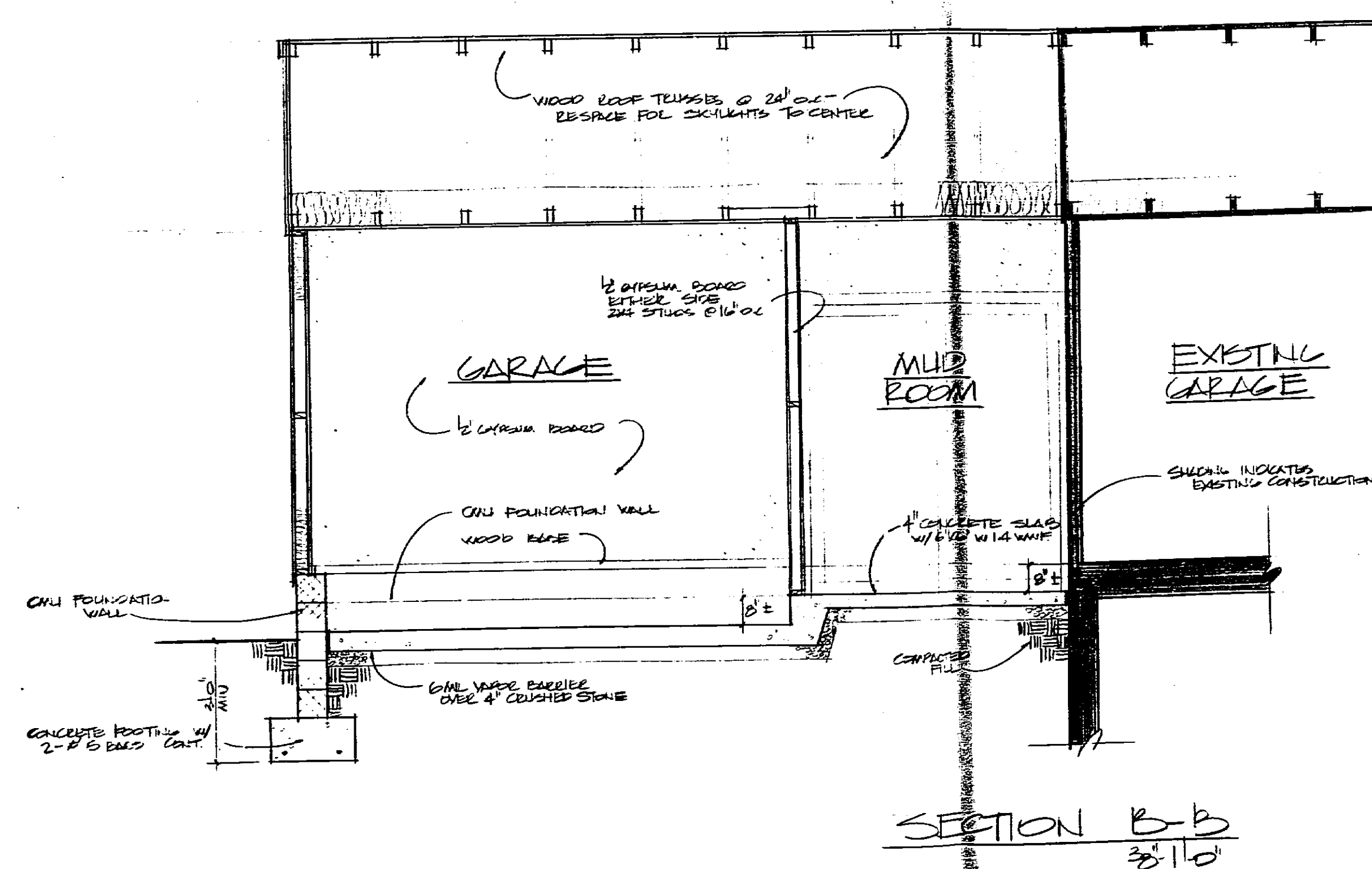
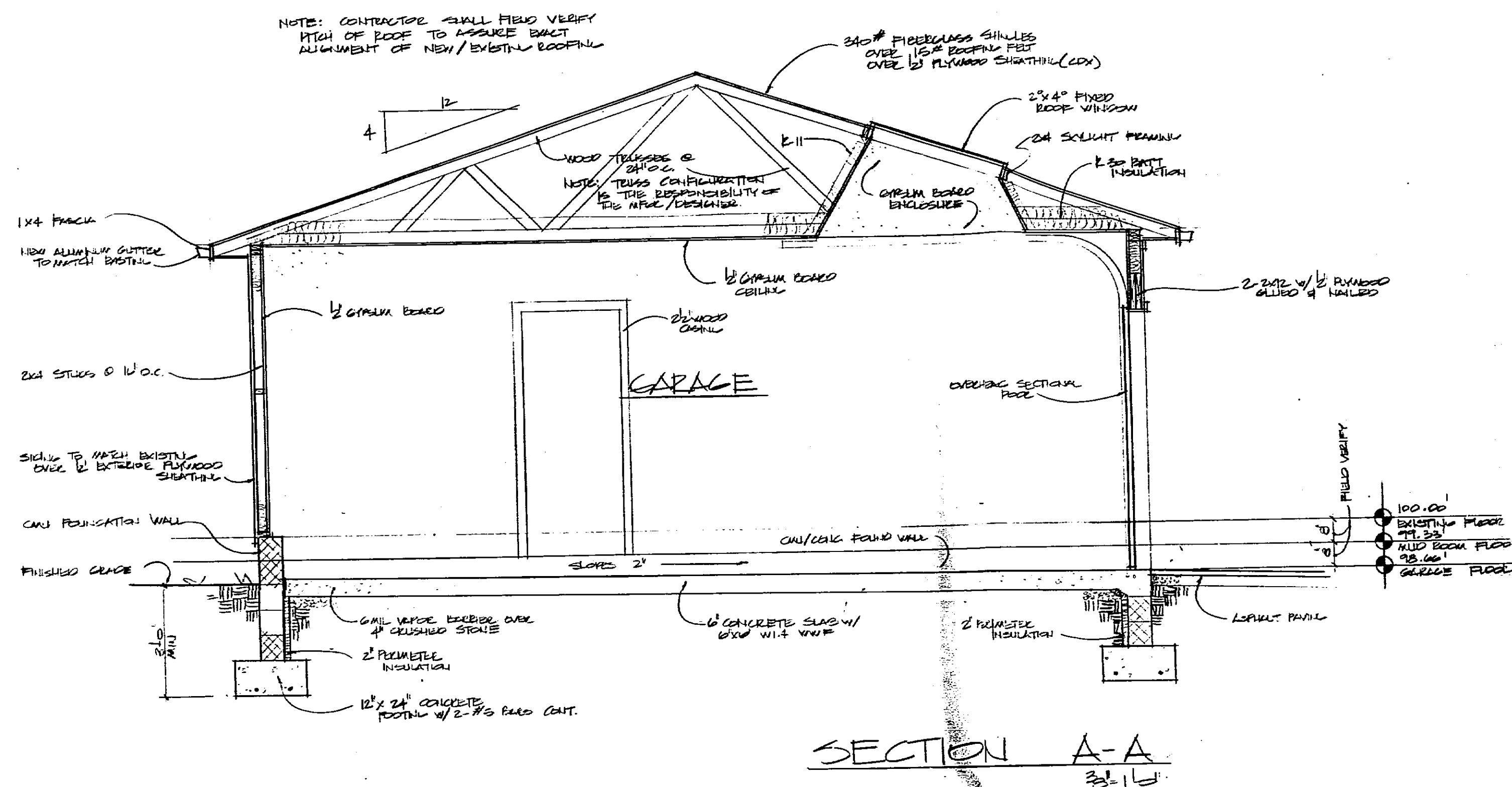




6. ALL WOOD MEMBERS, WHERE EXPOSED, TO BE PROTECTED AGAINST DECAY AND INSECT INFESTATION WITH APPROVED TREATMENT AS CALLED FOR UNDER THE PROVISIONS OF SECTION 874.3 B.O.C.
7. DESIGN, FABRICATION AND INSTALLATION SHEET METAL CONNECTED TRUSSES SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS AND SPECIFICATIONS:
  - A. SUPPLEMENT TO ENGINEERING BULLETIN NO. SE-266 DATED APRIL 19, 1960 OF A.S. DIV. FBA OF JAN. 4, 1961.
  - B. INTERNATIONAL CONF. OF BUILDING OFFICIALS REPORT 31714.3 SEPT. 6, 1968.
  - C. DESIGN SPEC. FOR LIGHT METAL PLATE CONNECTED WOOD TRUSSES T71-70.
  - D. NATIONAL DESIGN SPEC. FOR STRESS GRADE LUMBER AND ITS FASTENINGS, N77A.
8. FURNISH ROOF TRUSS SHOP DRAWINGS AND INSTRUCTIONS FOR THEIR INSTALLATION. SUBJECT TO THE ARCHITECT'S APPROVAL, CERTIFIED TO BY A PROFESSIONAL ENGINEER REGISTERED IN MARYLAND.

#### ATTACHMENTS, MODIFICATIONS TO STRUCTURE, AND MISCELLANEOUS

1. NO HOLES ARE TO BE CUT IN STRUCTURAL MEMBERS IN THE FIELD UNLESS APPROVED BY THE ARCHITECT. STRUCTURAL DRAWINGS DO NOT NECESSARILY SHOW ALL OPENINGS IN THE STRUCTURAL WORK.
2. PROVIDE STRUCTURE, SUPPORT, BRACES, ETC., AS REQUIRED FOR THE INSTALLATION OF ALL TYPES EQUIPMENT. INSTALLATION TO BE AS SHOWN ON THE STRUCTURAL DRAWINGS OR IF NOT SHOWN, THEN SUBJECT TO THE APPROVAL OF THE ARCHITECT.
3. STRUCTURE SPECIALLY REQUIRED FOR SUPPORT OF EQUIPMENT SHALL BE LOCATED AND INSTALLED AS REQUIRED SUBJECT TO THE ARCHITECT'S APPROVAL.
4. ANY ATTACHMENT TO JOIST OR TRUSS FOR SUPPORT OF ANY MATERIAL OTHER THAN DECKING SHOULD BE MADE AT CHORD PANEL POINTS AND BE APPROVED BY THE ARCHITECT. IF ATTACHMENT AT CHORD PANEL POINT IS NOT POSSIBLE PROVIDE ATTACHMENT SUBJECT TO THE ARCHITECT'S APPROVAL.
5. EXTRA JOISTS OR TRUSSES AND SPECIAL FRAMING HAVE BEEN INDICATED IN MOST CASES WHERE REQUIRED BY SPECIAL APPLICATIONS. LOCATIONS SHOWN ARE SCHEMATIC ONLY AND REFERENCE MUST BE MADE TO OTHER DRAWINGS FOR EXACT LOCATION.
6. ALL SHOP DRAWINGS SHALL INDICATE GRADES OF STEEL OR WOOD SUPPLIED.
7. PROVIDE BLOCKING OF APPROVED MATERIALS AS REQUIRED FOR LEVELING OF ALL STRUCTURE, DECK, SLABS, LINTELS, ETC.
8. PROVIDE AT LEAST ONE CONTINUOUS COURSE OF 100% SOLID MASONRY AT ALL SLAB BEARING LINES.
9. UNLESS SHOWN OTHERWISE, DOUBLE UP THE AS-BUILT FLOOR SUPPORT STRUCTURE (SUCH AS STEEL OR WOOD JOISTS, CONCRETE JOISTS, BEAMS AND ETC.) UNDER ALL PARTITIONS THAT RUN IN THE SAME GENERAL DIRECTION AS THE FLOOR SUPPORT STRUCTURE.



JAMES R SCHNEIDER AIA

609 JUNIPOT ROAD  
REISTERSTOWN, MARYLAND

AN ADDITION TO  
THE THRASHER RESIDENCE

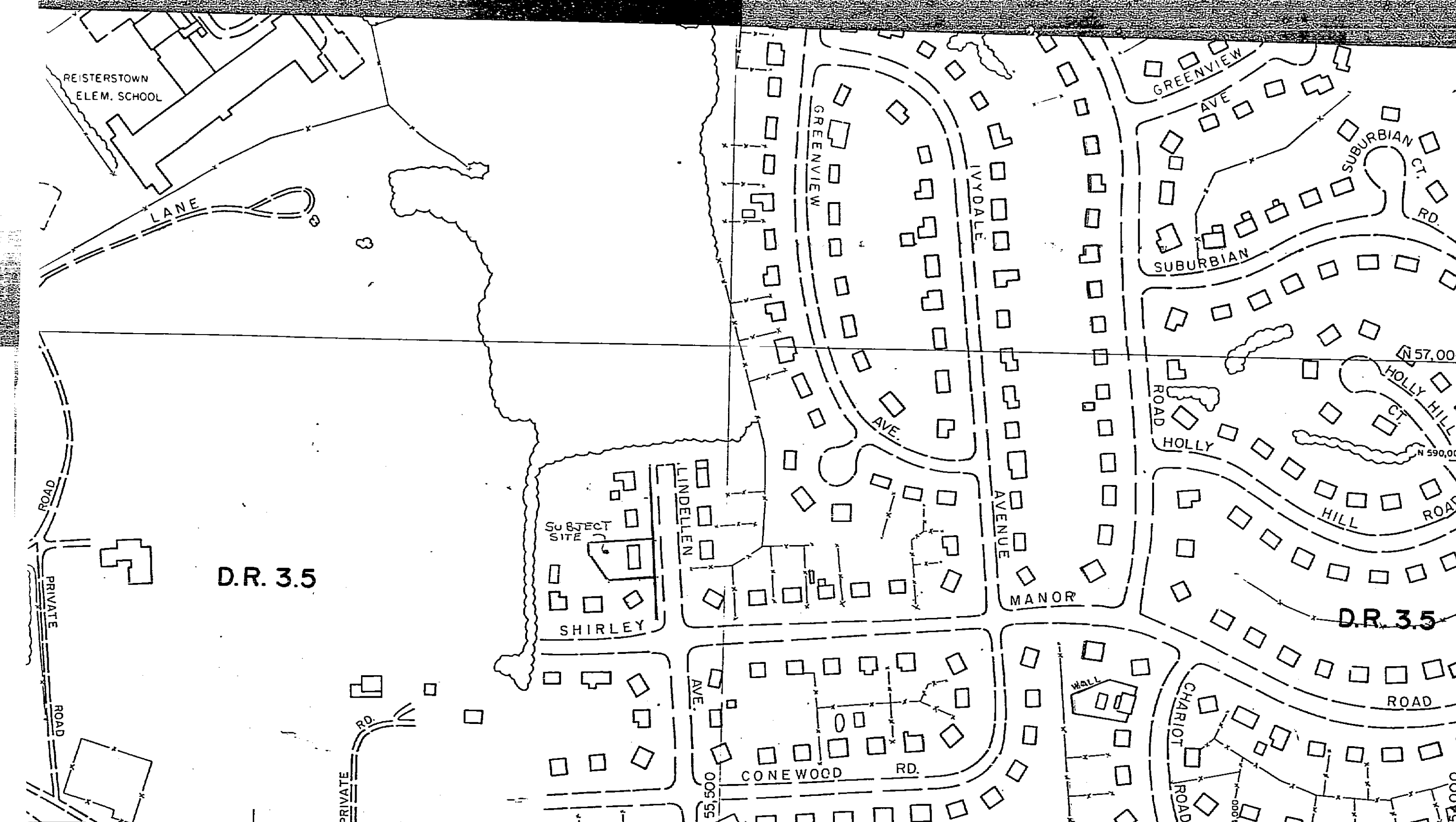
REISTERSTOWN, MD

888 LINCOLN AVE

DATE: 6-10-90  
REVISED:

A2





COUNTY  
NG AND ZONING **91-97-A**  
ING MAP

SCALE 1" = 200' ±	LOCATION REISTERSTOWN AREA DELIGHT	SHEET N.W. 15-J
DATE OF PHOTOGRAPHY JANUARY 1986		



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING **91-77-H**  
PHOTOGRAPHIC MAP

1" = 200' ±	LOCATION REISTERSTOWN AREA DELIGHT	SHEET N.W. 15-J
DATE OF PHOTOGRAPHY JANUARY 1986		